

# **2013 DRAFTING REQUEST**

## **Bill**

Received:	<b>11/6/2012</b>	Received By:	<b>mshovers</b>
Wanted:	<b>As time permits</b>	Same as LRB:	
For:	<b>Administration-Budget 6-1923</b>	By/Representing:	<b>Quinn</b>
May Contact:		Drafter:	<b>mshovers</b>
Subject:	<b>Higher Education - tech. college Local Gov't - counties</b>	Addl. Drafters:	<b>pgrant</b>
		Extra Copies:	<b>EVM MDK</b>

Submit via email: **YES**

Requester's email:

Carbon copy (CC) to:

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### **Pre Topic:**

DOA:.....Quinn, BB0220 -

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### **Topic:**

Repeal county tax levy rate limit, s. 59.605, and technical college levy rate limit

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### **Instructions:**

See attached

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### **Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	pgrant 12/28/2012	jdye 1/2/2013	rschluet 1/2/2013	_____	lparisi 11/14/2012		State S&L
/P2	pgrant 1/15/2013	jdye 1/15/2013	phenry 1/16/2013	_____	sbasford 1/2/2013		State S&L
/P3				_____	sbasford		State

Vers. Drafted

Reviewed

Typed

Proofed

Submitted

Jacketed

Required

1/16/2013

S&L

FE Sent For:

<END>

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/P2		<u>P3 1/15 jld</u>		<u>ph</u> <u>JK</u>	sbasford 1/2/2013		State S&L

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FE Sent For:

*P2 1/2 jld*

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Repeal county tax levy rate limit, s. 59.605

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*P2 1/2 jld*

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/P1	mshovers	/P1 11/14 jld		11/14			
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1/P1 MES 11/13/12

FE Sent For:

**<END>**

## Hanaman, Cathlene

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**From:** brian.quinn@wisconsin.gov  
**Sent:** Thursday, November 01, 2012 4:51 PM  
**To:** Hanaman, Cathlene  
**Cc:** Frederick, Caitlin - DOA; Quinn, Brian D - DOA; Thornton, Scott - DOA  
**Subject:** [Possible SPAM] Statutory Language Drafting Request - BB0220

**Importance:** Low

**Biennial Budget:** 2013-15

**DOA Tracking Code:** BB0220

**Topic:** Repeal County Mill Rate Limits

**SBO Team:** TLGED

**SBO Analyst:** Quinn, Brian D - DOA

**Phone:** (608) 266-1923

**E-mail:** [brian.quinn@wisconsin.gov](mailto:brian.quinn@wisconsin.gov)

**Agency Acronym:** SRTR

**Agency Number:** 835

**Priority:** Low

**Intent:**

Repeal statutes relating to county operating mill rate limits.

**Attachments:** False

*Please send completed drafts to [statlanguage@wisapps.wi.gov](mailto:statlanguage@wisapps.wi.gov)*



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-0503/P1

MES ~~Mr.~~ K:....

*file*

DOA:.....Quinn, BB0220 - Repeal county tax levy rate limit, s. 59.605

**FOR 2013-2015 BUDGET — NOT READY FOR INTRODUCTION**

✓

1

*don't gen*  
AN ACT ...; relating to: the budget *✓*

*Analysis by the Legislative Reference Bureau*

**LOCAL GOVERNMENT** ✓

Under current law and subject to a number of exceptions, no county may impose an operating levy at an operating levy rate that exceeds 0.001 or the operating levy rate in 1992, whichever is greater. "Operating levy" is defined as the county purpose levy, less the debt levy, and "operating levy rate" is defined as the total levy rate minus the debt levy rate. ✓

A county may exceed the limit under current law ✓ if its board adopts a resolution stating its wish to exceed the operating levy rate limit that is otherwise applicable and if that resolution is approved by the electors of the county in a referendum. ✓ The limit may also be exceeded if a county increases the services that it provides by adding responsibility for providing a service transferred to the county by another governmental unit. ✓

Under current law, the county operating levy rate limit is suspended such that it does not apply to a county's levy that is imposed in December 2011 or December 2012. ✓

Under this bill, the county operating levy rate limit ✓ is sunset and does not apply to any county levy that is imposed in ✓ December 2011 or any year thereafter. ✓

For further information see the *state and local* fiscal estimate, which will be ✓ printed as an appendix to this bill.



---

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

1           SECTION 1. 59.605 (6) of the statutes is amended to read:

2           59.605 (6) ~~TEMPORARY SUSPENSION~~ <sup>✓</sup>SUNSET OF THE LIMIT. This section does not  
3           apply to a county's levy that is imposed in December 2011 or ~~December 2012~~ <sup>✓</sup>any year  
4           thereafter.

5           **History:** 1993 a. 16, 490; 1999 a. 150 s. 568; Stats. 1999 s. 59.605; 1999 a. 182 s. 207; 2007 a. 1, 115; 2011 a. 32, 75.

(END)

## Grant, Peter

---

**From:** Quinn, Brian D - DOA <Brian.Quinn@wisconsin.gov>  
**Sent:** Thursday, December 27, 2012 7:24 PM  
**To:** Shovers, Marc  
**Cc:** Grant, Peter  
**Subject:** RE: County Mill Rate Repeal

12/28/12 TC w/ Brian:  
RP rate limit permanently -  
another draft will make the  
levy limit permanent.

Yep, that's the request.

---

**From:** Shovers, Marc [Marc.Shovers@legis.wisconsin.gov]  
**Sent:** Thursday, December 27, 2012 5:37 PM  
**To:** Quinn, Brian D - DOA  
**Cc:** Grant, Peter - LEGIS  
**Subject:** RE: Re: County Mill Rate Repeal

Hi Brian:

Are you asking if we could redraft LRB -0503 to add in another component that repeals the tech. college operating rate limits? If so, the answer is "yes." Peter Grant would likely be the attorney to draft the tech. college part of the draft.

Marc

**From:** Quinn, Brian D - DOA [<mailto:Brian.Quinn@wisconsin.gov>]  
**Sent:** Thursday, December 27, 2012 4:53 PM  
**To:** Shovers, Marc  
**Subject:** Re: County Mill Rate Repeal

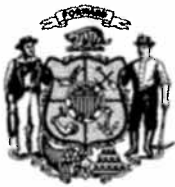
Marc,

I'm 99.5% sure that this is handled by a different drafter, but I'll ask anyway. Would it be possible to blend the county operating rate limit repeal with a repeal of the technical college operating rate limits? In essence, the intention here is to simply rely on the levy limits and not have the overlapping controls.

As I said, probably another drafter's turf here, but I wanted them to be part of a single draft for tracking purposes.

Thanks.

Brian Quinn  
Executive Policy and Budget Analyst  
Wisconsin Department of Administration  
Division of Executive Budget and Finance  
(608)-266-1923  
[Brian.quinn@wisconsin.gov](mailto:Brian.quinn@wisconsin.gov)<<mailto:Brian.quinn@wisconsin.gov>>



State of Wisconsin  
2013 - 2014 LEGISLATURE

505h



LRB-0503/P1

MES:jld:ph

P2

PC

DOA:.....Quinn, BB0220 - Repeal county tax levy rate limit, s. 59.605

**FOR 2013-2015 BUDGET — NOT READY FOR INTRODUCTION**

DO not  
Gen ~~reger~~

✓  
1

...  
AN ACT ~~to amend~~ s. 59.605 (6) of the statutes; relating to: the budget.

✓  
1A

*Analysis by the Legislative Reference Bureau*

**LOCAL GOVERNMENT**

Under current law and subject to a number of exceptions, no county may impose an operating levy at an operating levy rate that exceeds 0.001 or the operating levy rate in 1992, whichever is greater. "Operating levy" is defined as the county purpose levy, less the debt levy, and "operating levy rate" is defined as the total levy rate minus the debt levy rate.

A county may exceed the limit under current law if its board adopts a resolution stating its wish to exceed the operating levy rate limit that is otherwise applicable and if that resolution is approved by the electors of the county in a referendum. The limit may also be exceeded if a county increases the services that it provides by adding responsibility for providing a service transferred to the county by another governmental unit.

Under current law, the county operating levy rate limit is suspended such that it does not apply to a county's levy that is imposed in December 2011 or December 2012.

Under this bill, the county operating levy rate limit is sunset and does not apply to any county levy that is imposed in December 2011 or any year thereafter.

For further information see the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

---

✓  
***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

2-1 → 1 **SECTION 1.** 59.605 (6) ✓ of the statutes is amended to read:

2 59.605 (6) ~~TEMPORARY SUSPENSION~~ SUNSET OF THE LIMIT. This section does not  
3 apply to a county's levy that is imposed in December 2011 or ~~December 2012~~ any year  
4 thereafter.

5 ~~(END)~~ →

Nonstat File Sequence:

EEE

LRB \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

## INITIAL APPLICABILITY

1. In the component bar:  
For the action phrase, execute: ..... create → action: → \*NS: → inappl  
For the budget action phrase, execute: ..... create → action: → \*NS: → 93XX  
For the text, execute: ..... create → text: → \*NS: → inappl
2. Nonstatutory subunits are numbered automatically. Fill in the Section # or subsection # only if a "frozen" number is needed. Below, for the budget, fill in the 9300 department code.

SECTION # 93 4 3 5 Initial applicability; .....

(B) → technical college system

(#1) LEVY RATE LIMIT

The treatment of section 38.16 (1)

first applies to the tax levy imposed in 2030 of the statutes

(End) ✓

1. In the component bar:  
For the action phrase, execute: ..... create → action: → \*NS: → inappl  
For the text, execute: ..... create → text: → \*NS: → inapplA
2. Nonstatutory subunits are numbered automatically. Fill in the Section # or subsection # only if a "frozen" number is needed.

SECTION # \_\_\_\_\_ . Initial applicability; .....

(#1) ( ) ..... This act first applies to .....

1A

head → EDUCATION ✓

subhead → HIGHER EDUCATION ✓

It current law imposes a limit of 1.5<sup>✓</sup> mills  
on the <sup>property</sup> taxes levied by a technical college district  
board for the operation of the district. This  
bill eliminates the limit. ✓

(end ins 1A)

2-1:1

✓  
Section #. 38.16 (1) of the statutes is amended to read:

38.16 (1) Annually by October 31, or within 10 days after receipt of the equalized valuations from the department of revenue, whichever is later, the district board may levy a tax, ~~not exceeding 1.5 mills~~ <sup>purposes</sup> on the full value of the taxable property of the district, ~~for the purpose~~ <sup>and</sup> of making capital improvements, acquiring equipment, ~~and~~ <sup>and</sup> operating and maintaining the schools of the district, ~~except that the mill limitation is not applicable to taxes levied for the purpose of~~ <sup>and</sup> paying principal and interest on valid bonds or notes now or hereafter outstanding as provided in s. 67.035. The district board secretary shall file with the clerk of each city, village and town, any part of which is located in the district, a certified statement showing the amount of the levy and the proportionate amount of the tax to be spread upon the tax rolls for collection in each city, village and town. Such proportion shall be ascertained on the basis of the ratio of full value of the taxable property of that part of the city, village or town located in the district to the full value of all taxable property in the district, as certified to the district board secretary by the department of revenue. Upon receipt of the certified statement from the district board secretary, the clerk of each city, village and town shall spread the amounts thereof upon the tax rolls for collection. When the taxes are collected, such amounts shall be paid by the treasurer of each city, village and town to the district board treasurer.

History: 1971 c. 154, 211; 1973 c. 61, 90; 1975 c. 39; 1977 c. 29 ss. 493, 1647 (13); 1977 c. 300 ss. 1, 8; 1977 c. 418 s. 918m; 1979 c. 34; 1981 c. 20; 2011 a. 32, 75.

↓

2-1:2

Section #. 38.16 (3) (b) (intro.) of the statutes is amended to read:

38.16 (3) (b) (intro.) <sup>✓</sup> ~~Notwithstanding sub. (1),~~ <sup>A</sup> a district board's tax levy in 2011 and in 2012 may not exceed the greater of the following, except as provided in pars. (bg) and (br):

**History:** 1971 c. 154, 211; 1973 c. 61, 90; 1975 c. 39; 1977 c. 29 ss. 493, 1647 (13); 1977 c. 300 ss. 1, 8; 1977 c. 418 s. 918m; 1979 c. 34; 1981 c. 20; 2011 a. 32, 75.





State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-0503/PZ  
MES&PG:jld:rs

DOA:.....Quinn, BB0220 – Repeal county tax levy rate limit, s. 59.605, and technical college levy rate limit

**FOR 2013-2015 BUDGET — NOT READY FOR INTRODUCTION**

DN

✓  
1 don't gen  
AN ACT ...; relating to: the budget. ✓

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*Analysis by the Legislative Reference Bureau*

**EDUCATION**

**HIGHER EDUCATION**

Current law imposes a limit if 1.5 mills on the property taxes levied by a technical college district board for the operation of the district. This bill eliminates that limit.

**LOCAL GOVERNMENT**

Under current law and subject to a number of exceptions, no county may impose an operating levy at an operating levy rate that exceeds 0.001 or the operating levy rate in 1992, whichever is greater. "Operating levy" is defined as the county purpose levy, less the debt levy, and "operating levy rate" is defined as the total levy rate minus the debt levy rate.

A county may exceed the limit under current law if its board adopts a resolution stating its wish to exceed the operating levy rate limit that is otherwise applicable and if that resolution is approved by the electors of the county in a referendum. The limit may also be exceeded if a county increases the services that it provides by adding responsibility for providing a service transferred to the county by another governmental unit.

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For further information see the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

1       **SECTION 1.** 38.16 (1) of the statutes is amended to read:

2       38.16 (1) Annually by October 31, or within 10 days after receipt of the  
3       equalized valuations from the department of revenue, whichever is later, the district  
4       board may levy a tax, ~~not exceeding 1.5 mills~~ on the full value of the taxable property  
5       of the district, for the ~~purpose~~ purposes of making capital improvements, acquiring  
6       equipment and, operating and maintaining the schools of the district, ~~except that the~~  
7       ~~mill limitation is not applicable to taxes levied for the purpose of~~ and paying principal  
8       and interest on valid bonds or notes now or hereafter outstanding as provided in s.  
9       67.035. The district board secretary shall file with the clerk of each city, village and  
10      town, any part of which is located in the district, a certified statement showing the  
11      amount of the levy and the proportionate amount of the tax to be spread upon the tax  
12      rolls for collection in each city, village and town. Such proportion shall be ascertained  
13      on the basis of the ratio of full value of the taxable property of that part of the city,  
14      village or town located in the district to the full value of all taxable property in the  
15      district, as certified to the district board secretary by the department of revenue.  
16      Upon receipt of the certified statement from the district board secretary, the clerk of  
17      each city, village and town shall spread the amounts thereof upon the tax rolls for  
18      collection. When the taxes are collected, such amounts shall be paid by the treasurer  
19      of each city, village and town to the district board treasurer.

20      ~~SECTION 2. 38.16 (3) (b) (intro.) of the statutes is amended to read:~~ 

1 ~~38.16 (3) (b) (intro.) Notwithstanding sub. (1), a district board's tax levy in~~  
2 ~~2011 and in 2012 may not exceed the greater of the following, except as provided in~~  
3 ~~pars. (bg) and (br):~~

4 **SECTION 3.** 59.605 (6) of the statutes is amended to read:

5 59.605 (6) ~~TEMPORARY SUSPENSION~~ SUNSET OF THE LIMIT. This section does not  
6 apply to a county's levy that is imposed in December 2011 or ~~December 2012~~ any year  
7 thereafter.

8 **SECTION 9343. Initial applicability; Technical College System.**

9 (1) LEVY RATE LIMIT. The treatment of section 38.16 (1) of the statutes first  
10 applies to the tax levy imposed in 2013.

11 (END)

SEC. # RP; 38.16 (3) (e) <sup>x</sup>

d-note  
↓

DNBrian ↑

This redraft removes the treatment of  
s. 38.16 (3)(b) (intro.) (which is unnecessary),  
and includes the  
repeat of s. 38.16 (3)(e), which is  
necessary because it refers to the  
1.5 mill limit.

PG

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

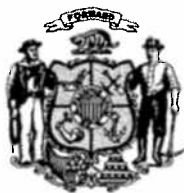
LRB-0503/P3dn  
PG:jld:ph

January 16, 2013

Brian:

This redraft removes the treatment of s. 38.16 (3) (b) (intro.), which is unnecessary, and includes the repeal of s. 38.16 (3) (e), which is necessary because it refers to the 1.5 mill limit.

Peter R. Grant  
Managing Attorney  
Phone: (608) 267-3362  
E-mail: [peter.grant@legis.wisconsin.gov](mailto:peter.grant@legis.wisconsin.gov)



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-0503/P3  
MES&PG:jld:ph

DOA:.....Quinn, BB0220 – Repeal county tax levy rate limit, s. 59.605, and  
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**FOR 2013-2015 BUDGET — NOT READY FOR INTRODUCTION**

1 **AN ACT ...; relating to:** the budget.

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*Analysis by the Legislative Reference Bureau*

**EDUCATION**

**HIGHER EDUCATION**

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For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

1       **SECTION 1.** 38.16 (1) of the statutes is amended to read:

2       38.16 (1) Annually by October 31, or within 10 days after receipt of the  
3       equalized valuations from the department of revenue, whichever is later, the district  
4       board may levy a tax, ~~not exceeding 1.5 mills~~ on the full value of the taxable property  
5       of the district, for the ~~purpose~~ purposes of making capital improvements, acquiring  
6       equipment ~~and~~, operating and maintaining the schools of the district, ~~except that the~~  
7       ~~mill limitation is not applicable to taxes levied for the purpose of~~ and paying principal  
8       and interest on valid bonds or notes now or hereafter outstanding as provided in s.  
9       67.035. The district board secretary shall file with the clerk of each city, village and  
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14      village or town located in the district to the full value of all taxable property in the  
15      district, as certified to the district board secretary by the department of revenue.  
16      Upon receipt of the certified statement from the district board secretary, the clerk of  
17      each city, village and town shall spread the amounts thereof upon the tax rolls for  
18      collection. When the taxes are collected, such amounts shall be paid by the treasurer  
19      of each city, village and town to the district board treasurer.

20      **SECTION 2.** 38.16 (3) (e) of the statutes is repealed.

1           **SECTION 3.** 59.605 (6) of the statutes is amended to read:

2           59.605 (6) ~~TEMPORARY SUSPENSION~~ SUNSET OF THE LIMIT. This section does not  
3       apply to a county's levy that is imposed in December 2011 or ~~December 2012~~ any year  
4       thereafter.

**5 SECTION 9343. Initial applicability; Technical College System.**

6 (1) LEVY RATE LIMIT. The treatment of section 38.16 (1) and (3) (e) of the statutes  
7 first applies to the tax levy imposed in 2013.

8 (END)